

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

CHESTNUT HILL SOUND INC.
Patent Owner

Case IPR2016-00794
Patent 8,090,309 B2

PATENT OWNER'S NOTICE OF APPEAL

Director of the United States Patent and Trademark Office
United States Patent and Trademark Office
Office of the General Counsel
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 35 U.S.C. §§ 141 and 142 and 37 C.F.R. §§ 90.2(a), 90.3 and 104.2, Patent Owner, Chestnut Hill Sound Inc., (“Chestnut Hill Sound”) hereby gives notice of its appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (the “Board”) entered on September 5, 2017 (Paper No. 32) (the “Final Written Decision”), and from all orders, decisions, rulings, and opinions, regarding Chestnut Hill Sound’s U.S. Patent No. 8,090,309 B2 (“the ’309 Patent”).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Chestnut Hill Sound states that the issues on appeal include, but are not limited to, the following:

- Whether the Board erred in its determination that claims 1-14 of the ’309 Patent are obvious under 35 U.S.C. § 103(a), and any other finding or determination (legal or factual) supporting or relating to this determination.

Chestnut Hill Sound reserves the right to challenge any finding or determination supporting or related to the issues listed above, and to challenge any other issues decided adversely to Chestnut Hill Sound in the Final Written Decision and/or any orders, decisions or rulings underlying the Final Written Decision.

Copies of Patent Owner Chestnut Hill Sound’s Notice of Appeal are being filed simultaneously with the Director of the United States Patent and Trademark Office, the Patent Trial and Appeal Board, and the Clerk of the United States Court

of Appeals for the Federal Circuit, and served on the Petitioner.

Dated: November 6, 2017

Respectfully submitted,

Chestnut Hill Sound Inc.

By /Hamad M. Hamad/

Hamad M. Hamad, Reg. No. 64,641

Alexis (Steinberg) Mosser, Reg. No. 74,650

CALDWELL CASSADY CURRY, P.C.

2101 Cedar Springs Road, Suite 1000

Dallas, Texas 75201

Telephone: 214.888.4848

Facsimile: 214.888.4849

hhamad@caldwellcc.com

amosser@caldwellcc.com

chillsound@caldwellcc.com

ccc-ptab@caldwellcc.com

CERTIFICATE OF FILING

The undersigned certifies that on November 6, 2017, in addition to being filed electronically through the Patent Trial and Appeal Board's E2E System, pursuant to 37 C.F.R. § 42.6(b)(1), the foregoing PATENT OWNER'S NOTICE OF APPEAL was filed via Express Mail with the Director of the United States Patent and Trademark Office, at the following address (in accordance with 37 C.F.R. §§ 90.2(a), 104.2):

Director of the United States Patent and Trademark Office
Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF FILING

The undersigned certifies that on November 6, 2017 in addition to being filed electronically through the Court's CM/ECF System, one true and correct copy of the foregoing PATENT OWNER'S NOTICE OF APPEAL and the Final Written Decision were filed via Express Mail with the Clerk's Office of the United States Court of Appeals for the Federal Circuit at the following address:

Clerk of Court
United States Court of Appeals for the Federal Circuit
717 Madison Place N.W.
Washington, DC 20439

CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (e)(4)

It is hereby certified that on this 6th day of November, 2017, a copy of the foregoing PATENT OWNER'S NOTICE OF APPEAL was served via electronic mail, as previously consented to by Petitioner upon the following counsel of record:

W. Karl Renner, IPR39521-0016IP2@fr.com
Joshua A. Griswold, PTABInbound@fr.com

Date: November 6, 2017

/Hamad M. Hamad/
Hamad M. Hamad, Reg. No. 64,641